

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT _____

FILED

SEP 25 2013
Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga

JAMES SHAY)

HENNESSEE)

(Enter above the NAME of the
plaintiff in this action.))

v.)

LINCOLN COUNTY)

SHERIFF'S DEPARTMENT)

(Enter above the NAME of each
defendant in this action.))

4:13-CV-70
Mattice Lee

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES (✓) NO ()

B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: JAMES SHAY HENNESSEE

Defendants: LINCOLN COUNTY SHERIFF'S DEPARTMENT

2. COURT: (If federal court, name the district; if state court, name the county):

UNITED STATES DISTRICT COURT, EASTERN TN.

3. DOCKET NUMBER: NONE YET ASSIGNED

4. Name of Judge to whom case was assigned: _____

5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) STILL PENDING

6. Approximate date of filing lawsuit: 8/01/13

7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: LINCOLN COUNTY SHERIFF'S DEPT.

A. Is there a prisoner grievance procedure in this institution? YES (✓) NO ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure?
YES (✓) NO ()

C. If your answer is YES,

1. What steps did you take? I FILED AN INMATE GRIEVANCE

2. What was the result? I WAS OFFERED ONLY PARTIAL
RELIEF.

D. If your answer to B is NO, explain why not. _____

E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES () NO ()

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

III. PARTIES

(In item A below, please place your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

A. Name of plaintiff: _____
Present address: _____
Permanent home address: _____
Address of nearest relative: _____

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

B. Defendant: _____
Official position: _____
Place of employment: _____

C. Additional defendants: _____

IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

SINGLE M INCARCERATION AT LINCOLN COUNTY
SHERIFF'S DEPARTMENT 1, JAMES SHAY HENNESSEE, HAVE

BEEN CONTINUALLY DISCRIMINATED AGAINST DUE TO MY RELIGIOUS PREFERENCE. AS A PRACTICING WICCAN I HAVE REQUESTED AND BEEN DENIED THE PRIVILEGES GIVEN TO CHRISTIAN INMATES. LINCOLN COUNTY SHERIFF'S DEPARTMENT PROVIDES CHRISTIAN INMATES ONLY, WITH RELIGIOUS SERVICES RUN BY OUTSIDE CLERGY, THE ALLOWANCE OF RELIGIOUS STUDY MATERIAL INCLUDING LITERATURE OTHER THAN THEIR BIBLES, AND A CHRISTIAN BASED DRUG PROGRAM WHICH HAPPENS TO BE THE ONLY REHABILITATION PROGRAM OFFERED AT THE JAIL. ON 8-29-13 I FILED AN INMATE GRIEVANCE REQUESTING FOR THE SAME RIGHTS PROVIDED FOR CHRISTIAN INMATES. JAIL ADMINISTRATOR CHRIS THORNTON REPLIED BY TELLING ME HE DID NOT HAVE TO PROVIDE FOR THESE RIGHTS BUT HE WOULD ALLOW ME TO RECEIVE A SOFTBACK VERSION OF MY RELIGIOUS BIBLE. I FEEL, AND BELIEVE THE COURTS WILL AGREE, THAT IT IS DISCRIMINATION TO PROVIDE SPECIAL SERVICES AND TREATMENT FOR ONE RELIGION BUT IGNORE ALL OTHERS.

V. RELIEF

(State BRIEFLY exactly what you want this Court to do for you. Make NO legal arguments.

Cite NO cases or statutes.)

I WOULD ASK THIS HONORABLE COURT TO HOLD LINCOLN COUNTY
SHERIFF'S DEPT. RESPONSIBLE FOR PROVIDING ALL INMATES WITH
THEIR FIRST AMENDMENT RIGHTS. I WOULD ALSO ASK FOR AN IMMEDIATE
TRANSFER TO A FACILITY WHERE MY RELIGIOUS NEEDS CAN BE MET
AND I CAN AVOID RETALIATION BY STAFF. FINALLY I WOULD
LIKE TO ASK FOR \$25,000 PUNITIVE DAMAGES DUE TO THE MENTAL ANGUISH
CAUSED BY THE RESTRICTION OF MY SPIRITUALITY.

I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this 8TH day of SEPTEMBER, 20 13.



Signature of plaintiff(s)